

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**November 30, 1998**

**DIVISION TWO**

B120805     Hughes Aircraft Company, et al.  
                 v.  
                 Continental Casualty Company, et al.

Filed order granting motion to dismiss appeal. Appeals (notices of appeal filed March 17, 1998, March 20, 1998, April 20, 1998, and April 24, 1998) dismissed.

B122473     Los Angeles County, D.C.S.                             (Not for Publication)  
                 v.  
                 Valerie G.

The judgment is affirmed.

Boren, P.J.

We concur:   Nott, J.  
                     Zebrowski, J.

B118161     People     (Not for Publication)  
                 v.  
                 Donald L. Hughes

The judgment is affirmed.

Boren, P.J.

We concur:   Nott, J.  
                     Zebrowski, J.

DIVISION TWO (Continued)

B120313      Aleksandra M. Massabni, et al.                      (Not for Publication)  
                 v.  
                 Gloria Mittry, et al.

The order filed January 16, 1998, is modified to reflect: (1) that in addition to the mandatory disbursement of \$1,500 per month, the distributing co-trustees have discretion to distribute to Alexsa Massabni monies from trust principal necessary for her support, in amounts which they feel are reasonable, after taking into consideration her income from nontrust sources, and there has been no abuse of discretion as to the amount of the disbursement; and (2) Alexsa Massabni shall be entitled to receive \$12,000 per month from the principal of the trust estate (including accumulated undistributed income) and may renew her request for additional principal, equivalent in amount to all of the net income, when subsequent accounts current are filed. In all other respects, the order under review is affirmed. Each party is to bear its own costs on appeal.

Boren, P.J.

We concur:    Fukuto, J.  
                      Nott, J.

B119376      People    (Not for Publication)  
                 v.  
                 George W. Palacios

The judgment is affirmed.

Boren, P.J.

We concur:    Fukuto, J.  
                      Zebrowski, J.

November 30, 1998-Continued

## DIVISION TWO (Continued)

B113770      People                                  (Not for Publication)  
v.  
Earl Alexander Jackson

The judgment is affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Nott, J.

B117006 Samantha Miller, et al., Minors, etc. (Not for Publication)  
v.  
Glendale Unified School District

The judgment is affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Nott, J.

B115372 Sol Kest (Not for Publication)  
v.  
Times Mirror Company, et al.

The judgment is affirmed.

Boren, P.J.

We concur:   Fukuto, J.  
                      Nott, J.

DIVISION THREE

B120857      Health Systems International, Inc.                      (Not for Publication)  
                 v.  
                 Paul, Hastings, Janofsky & Walker, et al.

The order is affirmed. Pages 54 to 77 of the January 30, 1998, hearing transcript are ordered sealed. Costs on appeal are awarded to HSI.

Aldrich, J.

We concur: Klein, P.J.  
                 Kitching, J.

B105820      Campbell    (Not for Publication)  
                 v.  
                 Fuentes, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
                 Croskey, J.

DIVISION FOUR

B116567      Sanchez    (Certified for Publication)  
                 v.  
                 Bally's Total Finess Corporation

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
                 Hastings, J.

DIVISION FOUR (Continued)

B113174      Brown      (Certified for Publication)

v.

Compton Unified School District, et al.

The judgment is affirmed.

Epstein, J.

We concur:    Vogel (C.S.), P.J.  
                 Hastings, J.

DIVISION FIVE

B113765      People      (Not for Publication)

v.

Clyde Keith Davis

The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this opinion, including the restitution fine imposed pursuant to Penal Code section 1202.4, subdivision (b). The superior court clerk is then to deliver the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur:    Grignon, J.  
                 Godoy Perez, J.

DIVISION SIX

B108652      People      (Not for Publication)

v.

Lewis, et al.

The judgments are affirmed.

Gilbert, J.

We concur:    Stone, P.J.  
                 Yegan, J.

DIVISION SIX (Continued)

B122296 People (Not for Publication)  
v.  
DeLeon

The judgment is affirmed.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

[illegible]

The order is affirmed.

Stone, P.J.

We concur: Yegan, J.  
Coffee, J.

B117285      Schwartz      (Not for Publication)  
v.  
Black & Decker Corp.

The judgment (order of dismissal) is affirmed. Costs to respondents.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.

November 30, 1998-Continued

## DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur:   Stone, P.J.  
                      Gilbert, J.

[illegible]

The judgment is affirmed with costs to respondent.

Yegan, J.

We concur:    Gilbert, Acting P.J.  
                     Coffee, J.

## DIVISION SEVEN

B102996      Tillery  
v.  
Keenan & Associates

Filed order denying petition for rehearing.

DIVISION SEVEN (Continued)

B117551      Bass Clef Entertainments, Ltd.                      (Not for Publication)  
                 v.  
                 Universal Concerts, Inc., et al.

The judgment of dismissal is affirmed. Respondents are entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                 Neal, J.

B116659      Newsome    (Not for Publication)  
                 v.  
                 Newsome

The order of August 12, 1997, is reversed and on remand the trial court is directed to enter a new order granting appellant's motion to vacate orders and judgment concerning custody and visitation of the four minor children. Appellant is entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                 Neal, J.

B112829      Austein, et al.    (Not for Publication)  
                 v.  
                 Truck Insurance Exchange, et al.

The judgment is reversed and the cause remanded with instructions the trial court is to afford appellants the opportunity to amend consistent with the views expressed in this opinion and for further proceedings consistent with this opinion. Appellants shall recover their costs on appeal.

Johnson, J.

I concur:      Lillie, P.J.  
I dissent:      Neal, J.(Opinion)



DIVISION SEVEN (Continued)

B124816      Hindin, et al.                      (Not for Publication)  
                 v.  
                 Rust

The order granting Rust's motion to quash service of process on him is reversed and the trial court is directed to enter and order denying the motion. Appellants are entitled to costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                 Woods, J.

B109537      Parize                                      (Not for Publication)  
                 v.  
                 Greenhill

The order is affirmed.

Lillie, P.J.

We concur:   Johnson, J.  
                 Neal, J.

B114634      Karr, et al.                              (Not for Publication)  
                 v.  
                 Banner's Central Electric, Inc.

The judgment is affirmed. Each party to bear its own costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                 Woods, J.

## DIVISION SEVEN (Continued)

B115300 Janis, et al. (Not for Publication)  
v.  
Calif. State Lottery Commission, et al.

The judgments are affirmed. Each party is to bear its own costs.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B124460      Dianna H.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(LA County Dept. of Children & Family Services, r.p.i.)

Substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, and the petition is denied on the merits.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B117888      Sarkissian      (Not for Publication)  
v.  
Scpie Indemnity Company

The judgment is affirmed. Respondent to recover costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.